

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Prevailing Wage Act is amended by changing  
5 Section 2 as follows:

6 (820 ILCS 130/2) (from Ch. 48, par. 39s-2)

7 Sec. 2. This Act applies to the wages of laborers,  
8 mechanics and other workers employed in any public works, as  
9 hereinafter defined, by any public body and to anyone under  
10 contracts for public works. This includes any maintenance,  
11 repair, assembly, or disassembly work performed on equipment  
12 whether owned, leased, or rented.

13 As used in this Act, unless the context indicates  
14 otherwise:

15 "Public works" means all fixed works constructed by any  
16 public body, ~~other than work done directly by any public~~  
17 ~~utility company, whether or not done under public supervision~~  
18 ~~or direction,~~ or paid for wholly or in part out of public  
19 funds. "Public works" as defined herein includes all projects  
20 financed in whole or in part with bonds, grants, loans, or  
21 other funds made available by or through the State or any of  
22 its political subdivisions, including but not limited to: bonds  
23 issued under the Industrial Project Revenue Bond Act (Article

1 11, Division 74 of the Illinois Municipal Code), the Industrial  
2 Building Revenue Bond Act, the Illinois Finance Authority Act,  
3 the Illinois Sports Facilities Authority Act, or the Build  
4 Illinois Bond Act; ~~and all projects financed in whole or in~~  
5 ~~part with~~ loans or other funds made available pursuant to the  
6 Build Illinois Act; ~~or. "Public works" also includes all~~  
7 ~~projects financed in whole or in part with~~ funds from the Fund  
8 for Illinois' Future under Section 6z-47 of the State Finance  
9 Act, funds for school construction under Section 5 of the  
10 General Obligation Bond Act, funds authorized under Section 3  
11 of the School Construction Bond Act, funds for school  
12 infrastructure under Section 6z-45 of the State Finance Act,  
13 and funds for transportation purposes under Section 4 of the  
14 General Obligation Bond Act. "Public works" also includes all  
15 projects financed in whole or in part with funds from the  
16 Department of Commerce and Economic Opportunity under the  
17 Illinois Renewable Fuels Development Program Act for which  
18 there is no project labor agreement. "Public works" also  
19 includes all projects at leased facility property used for  
20 airport purposes under Section 35 of the Local Government  
21 Facility Lease Act. "Public works" does not include work done  
22 directly by any public utility company, whether or not done  
23 under public supervision or direction, or paid for wholly or in  
24 part out of public funds. "Public works" does not include  
25 projects undertaken by the owner at an owner-occupied  
26 single-family residence or at an owner-occupied unit of a

1 multi-family residence.

2 "Construction" means all work on public works involving  
3 laborers, workers or mechanics. This includes any maintenance,  
4 repair, assembly, or disassembly work performed on equipment  
5 whether owned, leased, or rented.

6 "Locality" means the county where the physical work upon  
7 public works is performed, except (1) that if there is not  
8 available in the county a sufficient number of competent  
9 skilled laborers, workers and mechanics to construct the public  
10 works efficiently and properly, "locality" includes any other  
11 county nearest the one in which the work or construction is to  
12 be performed and from which such persons may be obtained in  
13 sufficient numbers to perform the work and (2) that, with  
14 respect to contracts for highway work with the Department of  
15 Transportation of this State, "locality" may at the discretion  
16 of the Secretary of the Department of Transportation be  
17 construed to include two or more adjacent counties from which  
18 workers may be accessible for work on such construction.

19 "Public body" means the State or any officer, board or  
20 commission of the State or any political subdivision or  
21 department thereof, or any institution supported in whole or in  
22 part by public funds, and includes every county, city, town,  
23 village, township, school district, irrigation, utility,  
24 reclamation improvement or other district and every other  
25 political subdivision, district or municipality of the state  
26 whether such political subdivision, municipality or district

1 operates under a special charter or not.

2 The terms "general prevailing rate of hourly wages",  
3 "general prevailing rate of wages" or "prevailing rate of  
4 wages" when used in this Act mean the hourly cash wages plus  
5 fringe benefits for training and apprenticeship programs  
6 approved by the U.S. Department of Labor, Bureau of  
7 Apprenticeship and Training, health and welfare, insurance,  
8 vacations and pensions paid generally, in the locality in which  
9 the work is being performed, to employees engaged in work of a  
10 similar character on public works.

11 (Source: P.A. 94-750, eff. 5-9-06; 95-341, eff. 8-21-07.)